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Oceans and the law of the sea

Report on the work of the Ad Hoc Working Group of the Whole on the Regular Process for global reporting and assessment of the state of the marine environment, including socio-economic aspects

Letter dated 22 February 2011 from the Co-Chairs of the Ad Hoc Working Group of the Whole addressed to the President of the General Assembly

We have the honour to transmit to you the attached report on the work of the Ad Hoc Working Group of the Whole, which sets out in its annex the agreed recommendations to the sixty-fifth session of the General Assembly. Pursuant to paragraph 203 of General Assembly resolution 65/37, the Ad Hoc Working Group of the Whole met at United Nations Headquarters from 14 to 18 February 2011.

We kindly request that the present letter and the report be circulated as a document of the General Assembly under the agenda item entitled "Oceans and the law of the sea".

It would be appreciated if the General Assembly be convened to consider this report as a matter of priority at its current session, based on the need to advance the Regular Process as soon as possible.

(*Signed*) Donatus Keith **St. Aimee**

(*Signed*) Renée **Sauvé**

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Please recycle

Report of the Ad Hoc Working Group of the Whole on the Regular Process for global reporting and assessment of the state of the marine environment, including socio-economic aspects

1. The first meeting of the Ad Hoc Working Group of the Whole on the Regular Process for global reporting and assessment of the state of the marine environment, including socio-economic aspects, was convened pursuant to paragraph 203 of General Assembly resolution 65/37 of 7 December 2010. The meeting was held at United Nations Headquarters in New York from 14 to 18 February 2011.

2. The meeting was presided over by two Co-Chairs, Donatus Keith St. Aimee (Saint Lucia) and Renée Sauvé (Canada), appointed by the President of the General Assembly in consultation with regional groups. The following Friends of the Co-Chairs were nominated by the regional groups: Jacqueline Kemunto Moseti (Kenya) for the African States; Abdul Hameed (Pakistan) for the Asian States; Walter Schuldt (Ecuador) for the Latin American and Caribbean States; and Kent Blom (Sweden) for the Western European and other States.

3. Representatives of 75 Member States, 15 intergovernmental organizations and other bodies and 10 non-governmental organizations attended the meeting. The following members of the Group of Experts established pursuant to paragraph 209 of resolution 65/37 also attended the meeting: Amanuel Yoanes Ajawin (Sudan); Patricio Bernal (Chile); Peter Harris (Australia); Lorna Inniss (Barbados); Enrique Marschoff (Argentina); Beatrice Padovani Ferreira (Brazil); Chul Park (Republic of Korea); Jake Rice (Canada); Alan Simcock (United Kingdom of Great Britain and Northern Ireland); Joshua T. Tuhumwire (Uganda); Saskia Van Gaever (Belgium); and Wang Juying (China).

4. The following supporting documentation was available to the meeting: (a) the provisional agenda, annotated provisional agenda and format, including the proposed organization of work; and (b) the set of options prepared by the Group of Experts pursuant to paragraph 212 of resolution 65/37. Information material on steps for capacity-building prepared by the Group of Experts was also provided to delegations. At the request of the delegates, the Group of Experts provided additional information matter entitled "Draft criteria for the appointment of experts" and "Draft guidelines for workshops".

5. Stephen Mathias, Assistant Secretary-General for Legal Affairs, opened the meeting on behalf of the Secretary-General.

6. The Working Group adopted the agenda and agreed on a change in the order in which the agenda items would be considered. Delegations held a general exchange of views. In its substantive discussions, the Working Group considered the establishment of a management and review mechanism. On the basis of presentations by the Group of Experts entitled "Methods of work: general outline", "Methods of work: authors and guidance", "Capacity-building", "Questions to be answered by the first integrated assessment", "Engagement with States and existing assessment processes", "Data handling", "Communications strategy" and "Draft timetable", and the documents submitted to the meeting by the Group of Experts, delegations discussed options to achieve the deadline of 2014 for the completion of the first cycle of the Regular Process. The Working Group also considered the status of the trust funds established for the purpose of supporting the operations of the first five-year cycle of the Regular Process.

7. On the basis of those discussions, draft recommendations were prepared in informal consultations among interested delegations. On 18 February, the Working Group adopted the recommendations, which are contained in the annex to the present report. The Working Group also agreed on a way forward to enable Member States to continue discussing, as necessary, issues relating to options to achieve the deadline of 2014 for the completion of the first cycle of the Regular Process.

Way forward

8. Discussions focused on the possible structure of a management and review mechanism (now referred to as a "bureau"), the functions and modalities of regional workshops and the means of nominating the pool of experts that would be required to support the development of the first integrated assessment.

9. Other important modalities of implementation such as a communication strategy, data handling and capacity-building were briefly discussed and will require more detailed consideration at the next meeting of the Working Group. Capacity-building, in particular, was recognized as a fundamental component of all aspects of the development of the first integrated assessment.

10. There was general consensus on the establishment of a bureau to implement the decisions and guidance of the Working Group during the intersessional period, composed of Member States on the basis of equitable geographic representation, in a number and distribution to be determined by the Working Group at its next meeting.

11. On 18 February, following the adoption of the recommendations, a number of delegations requested that the proposals that they had made in relation to the bureau during the informal consultations be included in the report. The Group of 77 and China proposed that the bureau be composed of the Co-Chairs plus 18 Member States distributed as follows: Asian States, 5; African States, 5; Latin American and Caribbean States, 3; Western European and other States, 3; Eastern European States, 2. Other delegations proposed a smaller bureau consisting of a total of either five or 10 members, with equal representation from the regional groups. A related proposal was that at least one Co-Chair and a quorum of five Member States (one per regional group) be considered as the minimum requirement for the bureau to perform its functions.

12. In an effort to prepare for continued deliberations, it was agreed that States would also need to further consider and review the possible outline for the first global integrated assessment of the state of the marine environment, including socio-economic aspects (annex C to the set of options), the draft criteria for the appointment of experts and the draft guidelines for workshops (see para. 4 above). Member States would provide their comments to the secretariat of the Regular Process, namely the Division for Ocean Affairs and the Law of the Sea, by 30 April 2011 for communication to the Group of Experts. Taking into account the comments thus provided, the Group of Experts would prepare revised versions of those draft documents by 30 May 2011, for further consideration and adoption at the next meeting of the Working Group.

13. The Working Group agreed to recommend that the General Assembly request the Secretary-General to convene a second meeting of the Working Group in June 2011 with a view to finalizing and adopting, inter alia, the criteria for the

appointment of the experts to the pool of experts, the preliminary outline for the first global integrated assessment of the state of the marine environment, including socio-economic aspects, and the draft guidelines for workshops.

14. On 28 February 2011, the Co-Chairs transmitted the present report with the recommendations to the President of the sixty-fifth session of the General Assembly.

Annex

Recommendations of the Ad Hoc Working Group of the Whole to the sixty-fifth session of the General Assembly

The Ad Hoc Working Group of the Whole recommends to the General Assembly:

(1) That the Group of Experts, in consultation with the secretariat of the Regular Process and with the assistance of the members of UN-Oceans, explore means of leveraging existing systems to manage the information that comprises the foundation of the global marine assessment and report its findings by 30 May 2011 for the consideration of the Working Group at its next meeting;

(2) That the secretariat of the Regular Process be requested to continue to provide access to a secure website for the members of the Group of Experts to communicate among themselves and with the secretariat of the Regular Process;

(3) That the Secretary-General be requested to explore, in consultation with the Group of Experts, the establishment of appropriate means to address the communication requirements of the Regular Process, having in mind the need to avoid duplication of efforts, and to report on the findings as soon as practicable for the consideration of the Working Group;

(4) That workshops be recognized as a key mechanism by which the first global marine assessment will be accomplished and States can enhance their assessment capacity;

(5) That the workshops be organized under the auspices of the United Nations and in coordination with the secretariat of the Regular Process and with the assistance of the members of the Group of Experts, and that they be organized and conducted in accordance with the objectives and guidelines to be adopted by the Working Group, which will include a capacity-building component;

(6) That the secretariat of the Regular Process be requested to inventory on a preliminary basis, with the assistance of the Group of Experts, capacity-building for assessments and types of experts for workshops, and to report on these issues at the next meeting of the Working Group;

(7) That a pool of experts be appointed by States, through the regional groups, to support the work of the Group of Experts in the preparation of the first global marine assessment;

(8) That the Group of Experts provide a list of the areas of knowledge, including geographic coverage, that are needed in the pool of expertise for the first global marine assessment, recognizing that these needs will evolve throughout the process of the first assessment;

(9) That, in order to ensure the credibility and legitimacy of the first integrated assessment, it will be essential for users of the assessment to be able to relate its conclusions to the supporting data and information;

(10) That, upon the request of the Group of Experts and in line with paragraph 211 of resolution 65/37, Member States request the Secretary-General to facilitate the use of appropriate data handling and information schemes within the

United Nations system, drawing on the experiences, existing systems and support of United Nations specialized agencies and programmes;

(11) That States be invited to provide comments by 30 April 2011 on the possible outline for the first global integrated assessment of the state of the marine environment, including socio-economic aspects (annex C to the set of options), the draft criteria for the appointment of experts and the draft guidelines for workshops presented by the Group of Experts during the meeting of the Working Group,[a] and that the Group of Experts provide revised versions of those draft documents, reflecting the comments of States, to the secretariat of the Regular Process by 30 May 2011, for further discussion and adoption at the next meeting of the Working Group;

(12) That the Working Group, at its next meeting, begin consideration of terms of reference and working methods for the Group of Experts and of provisions for communication with States on the basis of a draft to be produced by the secretariat of the Regular Process, in consultation with the Group of Experts;

(13) That the Working Group reconvene as soon as possible.

[a] See www.un.org/Depts/los/global_reporting/global_reporting.htm.